

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RUTH WHITE,)
)
Plaintiff,)
)
vs.) Case No. 4:11CV2170 RWS
)
ORGANON USA, INC., et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

The multijurisdiction litigation case In re NuvaRing Products Liability Litigation, MDL 1964 has been assigned to this Court. Plaintiff recently filed her complaint in this district under the impression that venue is proper here because the MDL case is based in this Court.

Under 28 U.S.C. § 1333(a), when jurisdiction is founded only on diversity of citizenship, as in the present case, the action may be brought **only** in 1) a judicial district where any defendant resides, if all of the defendants reside in the same State; 2) a judicial district where a substantial part of the events giving rise to the claim occurred; or 3) a judicial district in which the defendant is subject to personal jurisdiction if there is no district in which the action may otherwise be brought.

The complaint alleges that Plaintiff's injury occurred in Duquesne, Pennsylvania. Based on the numerous lawsuits filed in the United States District Court of New Jersey, all Defendants allegedly reside / have a principal place of business in that state. As a result, it appears that the proper venue of this lawsuit is in Pennsylvania.

I find that the interest of justice is best served by transferring this matter to the Western District of Pennsylvania.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall transfer this action under 28 U.S.C. 1406(a) to the United States District Court for the Western District of Pennsylvania.

Sippel
RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 20th day of December, 2011.